

United States Bankruptcy Court  
District of Arizona

In re:  
YAHIR EDUARDO BAUTISTA RETANA  
ELIZABETH PARTIDA  
Debtors

Case No. 19-13347-EPB  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0970-2  
Date Rcvd: Dec 08, 2022

User: admin  
Form ID: pdf001

Page 1 of 3  
Total Noticed: 30

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 10, 2022:**

Recip ID	Recipient Name and Address
db/jdb	+ YAHIR EDUARDO BAUTISTA RETANA, ELIZABETH PARTIDA, 7128 WEST HILTON AVENUE, PHOENIX, AZ 85043-7527
cr	+ U.S. Bank National Association, as Trustee, succes, c/o McCarthy & Holthus LLP, 8502 E. Via De Ventura, Suite 200, Scottsdale, AZ 85258-3240
cr	+ Valle Eldorado Homeowners' Association, Inc., Carpenter, Hazlewood, Delgado & Bolen, L, 1400 E Southern Ave, Ste 400, Tempe, AZ 85282-5693 UNITED STATES 85282-5693
15813883	+ Diversified Consultants, Inc., Attn: Bankruptcy, Po Box 679543, Dallas TX 75267-9543
15813887	+ Quality Loan Service Corp., 2763 Camino Del Rio South, San Diego CA 92108-3708
15813890	+ SW Finance, POB 26583, Scottsdale AZ 85255-0126
15813889	Southwest Title Loans, POB 85080, Phoenix AZ 85080
15813892	+ Title Max, 2270 N. 75th Ave, Ste 112, Phoenix AZ 85035-4790
15846979	U.S. Bank National Association, as Trustee,, Wells Fargo Bank, N.A., Attn: Default Document Processing, MAC# N9286-01Y, 1000 Blue Gentian Road, Eagan, MN 55121-7700
15813894	+ Valle Eldorado HOA, 7255E. Hampton Avenue, Ste 101, Mesa AZ 85209-3312
15871653	+ Valle Eldorado Homeowners' Association, Inc., c/o Carpenter Hazlewood Delgado Bolen LL, 1400 E. Southern Ave., Suite 400, Tempe, Arizona 85282-5693
15813891	sw title, 3510 E BELL RD, STE 1-1A, Phoenix AZ 85032-2769

TOTAL: 12

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Dec 08 2022 22:40:26	Wells fargo bank n.a., 1000 BLUE GENTIAN ROAD, EAGAN, MN 55121-1663
15888985	Email/Text: bnc@atlasacq.com	Dec 08 2022 22:28:00	Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601
16259925	Email/Text: bnc@atlasacq.com	Dec 08 2022 22:28:00	Atlas Acquisitions LLC, 492C Cedar Lane, Ste 442, Teaneck, NJ 07666
15813879	+ Email/Text: bankruptcynotices@azdor.gov	Dec 08 2022 22:28:00	Arizona Department of Revenue, P.O. Box 52016, Phoenix AZ 85072-2016
15813880	+ Email/Text: bankruptcy@bmecollect.com	Dec 08 2022 22:29:00	Bureau Of Medical Economics, Attn: Bankruptcy, Po Box 20247, Phoenix AZ 85036-0247
15813881	+ Email/PDF: bncnotices@becket-lee.com	Dec 08 2022 22:39:40	Conn's Credit Corp., 3295 College St., Beaumont TX 77701-4611
15813882	+ Email/PDF: bncnotices@becket-lee.com	Dec 08 2022 22:39:45	Conn's HomePlus, Attn: Bankruptcy Dept, Po Box 2358, Beaumont TX 77704-2358
15813884	+ Email/Text: bknotice@ercbpo.com	Dec 08 2022 22:29:00	ERC/Enhanced Recovery Corp, Attn: Bankruptcy, 8014 Bayberry Road, Jacksonville FL 32256-7412
15813885	+ Email/Text: bknoticing@grantweber.com	Dec 08 2022 22:29:00	Grant & Weber, Attn: Bankruptcy, 26610 Agoura Road, Suite 209, Calabasas CA 91302-2975
15813886	Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 08 2022 22:29:00	IRS, Central Insolvency Operations, PO Box 7346,

		Philadelphia PA 19101-7346	
15900975	Email/PDF: resurgentbknotifications@resurgent.com	Dec 08 2022 22:39:40	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
16813912	Email/Text: bknotice@mccarthyholthus.com	Dec 08 2022 22:28:00	McCarthy & Holthus LLP, 2763 Camino Del Rio S, Suite 100, San Diego, CA 92108-2607
15813888	Email/Text: bankruptcy@snapfinance.com	Dec 08 2022 22:28:00	Snap Finance, POB 26561, Salt Lake City UT 84126
15895417	+ Email/Text: BankruptcyNotices@titlemax.com	Dec 08 2022 22:29:00	TitleMax of Arizona, INC., 15 Bull Street, Suite 200, Savannah, GA 31401-2686
15813895	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Dec 08 2022 22:40:38	Wells Fargo, c/o John Stumpt, CEO, 420 Montgomery Street, San Francisco CA 94104-1298
16617471	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Dec 08 2022 22:40:26	Wells Fargo Bank, N.A., MAC N9286-01Y, P.O. Box 1629, Minneapolis, MN 55440-1629
16813913	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Dec 08 2022 22:40:38	Wells Fargo Bank, N.A., Default Document Processing, P.O. Box 1629, Minneapolis, MN 55440-1629
15813896	Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Dec 08 2022 22:40:26	Wells Fargo Home Mor, Attn: Written Correspondence/Bankruptcy, Mac#2302-04e Pob 10335, Des Moines IA 50306

TOTAL: 18

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr	*P++	ATLAS ACQUISITIONS LCC, 492C CEDAR LANE SUITE 442, TEANECK NJ 07666-1713, address filed with court., Atlas Acquisitions LLC, 492C Cedar Lane, Ste 442, Teaneck, NJ 07666
15813893	*+	Title Max, 2270 N. 75th Avenue, Ste 112, Phoenix AZ 85035-4790

TOTAL: 0 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 10, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 8, 2022 at the address(es) listed below:

Name	Email Address
EDITH I RUDDER	on behalf of Creditor Valle Eldorado Homeowners' Association Inc. eadie.rudder@carpenterhazlewood.com, bknotice@carpenterhazlewood.com
EDWARD J. MANEY	courtcef@maney13trustee.com

District/off: 0970-2  
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Form ID: pdf001

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MICHAEL W. CHEN

on behalf of Creditor U.S. Bank National Association as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for Structu bknotice@mccarthyholthus.com, mchen@mccarthyholthus.com, mchen@ecf.courtdrive.com

THOMAS ADAMS MCAVITY

on behalf of Joint Debtor ELIZABETH PARTIDA documents@phxfreshstart.com tom@phxfreshstart.com

THOMAS ADAMS MCAVITY

on behalf of Debtor YAHIR EDUARDO BAUTISTA RETANA documents@phxfreshstart.com tom@phxfreshstart.com

U.S. TRUSTEE

USTPRegion14.PX.ECF@USDOJ.GOV

TOTAL: 6

Dated: December 7, 2022



Edward P. Ballinger Jr., Chief Bankruptcy Judge

THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

In re

CHAPTER 13

YAHIR EDUARDO BAUTISA RETANA,

CASE NO. 2: 19-13347-EPB

ELIZABETH, PARTIDA,

**STIPULATED ORDER CONFIRMING  
MODIFIED CHAPTER 13 PLAN**

Debtors.

The Modified Chapter 13 Plan having been properly noticed out to creditors and any objection to confirmation having been resolved,

**IT IS ORDERED** confirming the Modified Plan of the Debtors as follows:

**(A) INCOME SUBMITTED TO THE PLAN.** Debtors shall submit the following amounts of future income to the Trustee for distribution under the Plan.

(1) Future Earnings or Income. Debtors shall make the following monthly Plan payments:

Months	Amount
1-4	\$1,750.00
5-8	\$1,845.00
9-21	\$1,897.57
22-22	\$1,899.00
23-23	\$0.00

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In re: Bautisa/Partida  
Case No. 2: 19-13347-EPB

24-32	\$1,899.00
33-35	\$0.00
36-60	\$1,992.00

The payments are due on or before the 19th day of each month commencing November 19, 2019. Debtors are advised that when payments are remitted late, additional interest may accrue on secured debts which may result in a funding shortfall at the end of the Plan term. Any funding shortfall must be cured before the plan is deemed completed.

The Debtors shall provide to the Trustee copies of their **federal** and **state** income tax returns for post-petition years 2019 - 2023 within 30 days of filing them. The purpose is to assist the Trustee in determining any change in Debtors' annual disposable income.

(2) Other Property. The Debtors shall provide, directly to the Trustee their net federal and state income tax refunds for the years 2019 through 2021, as supplemental to the plan. In the event that other property is submitted, it shall be treated as supplemental payments

(B) **DURATION.** This Plan shall continue for 60 months from the first regular monthly payment described in Paragraph (A)(1) above. If at any time before the end of the Plan period all claims are paid, then the Plan shall terminate. In no event will the term of the Plan be reduced to less than 36 months, exclusive of any property recovered by the Trustee, unless all allowed claims are paid in full.

(C) **CLASSIFICATION AND TREATMENT OF CLAIMS.** Claims shall be classified as listed below. The Plan and this Order shall not constitute an informal proof of claim for any creditor. This Order does not allow claims. Claims allowance is determined by § 502 and the Federal Rules of Bankruptcy Procedure. The Trustee shall receive the percentage fee on the Plan payments pursuant to 28 U.S.C. § 586(e), then the Trustee will pay secured creditors or allowed claims in the following order:

(1) Administrative expenses:

Attorney Fees. Tom McAvity, shall be allowed total compensation of \$4,500.00. Counsel received \$10.00 prior to filing this case and will be paid \$4,490.00 by the Chapter 13 Trustee.

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In re: Bautisa/Partida  
Case No. 2: 19-13347-EPB

1  
2 (2) Claims Secured by Real Property:  
3

- 4 (a) Creditor Wells Fargo, secured by a first deed of trust in Debtor's residence shall  
5 be paid pre-petition arrears of \$ 10,668.37, with 0% interest.
- 6 (b) Conduit mortgage payments shall be paid by the Trustee beginning in Month 1 of  
7 the Plan for the mortgage payment due to the Creditor for November 2019. The  
8 conduit payment shall be paid by the Trustee for the duration of the Plan unless  
9 otherwise ordered. For any month when the balance on hand in Debtor's account  
10 is insufficient to allow disbursement of the conduit payment and any adequate  
11 protection payments on personal property that have become due, the amount due  
12 for that month will be paid to the creditor on the next disbursement date when the  
13 Debtor's account balance has sufficient funds to pay a full conduit payment.
- 14 (c) If and when a Notice of Payment Change is received, the Trustee will adjust the  
15 Plan payment to reflect the decrease or the increase in the mortgage payment. The  
16 Trustee is authorized to disburse the new mortgage conduit payment without  
17 seeking an Order of the Court or a modification of the Plan.
- 18 (d) If mortgage lender files any notices for post-petition fees and expenses, within 21  
19 days of the notice, the Debtor will remit an amended SOC to the Trustee. The  
20 amended SOC must provide for payment of the additional expenses, plus trustee  
21 fee, and increase plan yield accordingly.
- 22 (e) Valle Eldorado Homeowners' Association, Inc., secured by Debtors' residence,  
23 shall be paid the prepetition arrearage of \$14,312.94 with 12% interest (the amount  
24 will be amended). Debtors will make regular post-petition payments directly to the  
25 Association. Valle Eldorado Homeowners' Association, Inc. shall retain its lien  
26 regarding the pre-petition arrears until the entire pre-petition arrears have been paid  
27 through this Plan. The Court specifically authorizes Canyon Trails to provide  
28 statements and payment instructions for post-petition assessments and other post-  
petition amounts owed directly to the Debtor

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2  
3 (3) Claims Secured by Personal Property:

4 (a) Title Max, secured by a lien in 2007 Toyota Avalon, shall be paid a secured claim  
5 of \$ 3,610.93 with 6% interest. The creditor will receive adequate protection  
6 payments of \$50 per month. The balance of the debt shall be classified as  
7 unsecured.

8  
9 (4) Unsecured Priority Claims:

10 (a) Department of Treasury/Internal Revenue Service shall be paid an unsecured  
11 priority claim of \$ 11,325.31 with no interest for income taxes.

12 (5) Surrendered Property:

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14 Upon confirmation of this plan or except as otherwise ordered by the Court,  
15 bankruptcy stays are lifted as to collateral to be surrendered. Such creditor shall  
16 receive no distribution until the creditor timely files a claim or an amended proof of  
17 claim that reflects any deficiency balance remaining on the claim. Assuming the  
18 creditor has an allowed proof of claim, should the creditor fail to file an amended  
19 claim consistent with this provision, the Trustee need not make any distributions to  
20 that creditor. Debtors surrender the following property:

21 (a) None.

22 (6) Other Provisions: None.

23 (7) Unsecured Nonpriority Claims. Claims allowance is determined by § 502 and the  
24 Federal Rules of Bankruptcy Procedure. Allowed unsecured claims shall be paid pro  
25 rata the balance of the payments under the Plan and any unsecured debt balance  
26 remaining unpaid upon completion of the Plan may be discharged as provided in 11  
27 U.S.C. § 1328.

1 (D) **EFFECTIVE DATE AND VESTING.** The effective date of the Plan shall be the  
2 date of this Order. Property of the estate vests in Debtors upon confirmation, subject to the rights  
3 of the Trustee to assert a claim to any additional property of the estate pursuant to 11 U.S.C. §  
4 1306.  
5


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6 **ORDER SIGNED ABOVE**

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9 Approved as to Form and Content By:

12   
13 Edward J. Maney, Trustee  
14

15   
16 Tom McAvity  
17 Attorney for Debtors

18   
19 Edith I. Rudder  
20 Attorney for Secured Creditor, Valle Eldorado Homeowners' Association, Inc.  
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1 The Debtors certify: All required State and Federal Income tax returns have been filed No  
2 domestic support obligation is owed or, if owed, such payments are current since the filing of the  
3 Petition.

4 

5  
6 YAHIR EDUARDO BAUTISA RETANA  
7 Debtor

8 

9 ELIZABETH PARTIDA  
10 Debtor